

**PHYSICAL THERAPY AFFILIATED CREDENTIALING BOARD  
REGULAR MEETING  
MARCH 5, 2002**

**MEMBERS PRESENT:** Otto Cordero, PT; Barbara Flaherty, PT; Shirley Mook; Laurie Kontney, PT

**STAFF PRESENT:** Deanna Zychowski, Bureau Director, Health Professions; Karen Rude-Evans, Program Assistant; Wayne Austin, Legal Counsel (arrived 9:02 a.m.)

**GUESTS:** James Greenwald, Chiropractic Examining Board; Ron Hermes and Michelle Thorman, WPTA; Tom Fonfara, AMTA-WI

**CALL TO ORDER**

Chair Otto Cordero called the meeting to order at 8:36 a.m.

**APPROVAL OF AGENDA**

Amendment: -Oral examinations of 4 candidates

**MOTION:** Shirley Mook moved, seconded by Barbara Flaherty, to approve the agenda as amended. Motion carried unanimously.

**SECRETARY OSCAR HERRERA**

Secretary Herrera was not available.

**APPROVAL OF MINUTES OF JANUARY 9, 2002**

**MOTION:** Shirley Mook moved, seconded by Barbara Flaherty, to approve the Minutes of January 9, 2002 as written. Motion carried unanimously.

**PRESENTATION OF PROPOSED STIPULATIONS**

There were no stipulations.

**REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND  
ADMINISTRATIVE RULES**

These reports were informational.

## **REVIEW OF AB 749 RELATING TO MASSAGE THERAPISTS AND BODYWORKERS AND 460.01 OF THE STATUTES RELATING TO DEFINITIONS**

The Board reviewed AB 749. The companion bill is SB 413, and a hearing is scheduled for tomorrow with the Senate Health Committee. Tom Fonfara, AMTA-WI, said a substitute amendment has now been introduced with language that massage therapists would be certified rather than licensed. Currently, massage therapists and body workers are registered.

## **REVIEW OF AB 615 RELATING TO LICENSURE OF PHYSICAL THERAPY ASSISTANTS**

The Board reviewed compromise language from the WCA and the WPTA for AB 615. This language is being submitted as an amendment by the WPTA.

**MOTION:** Laurie Kontney moved, seconded by Shirley Mook, to support amendments to AB 615 as follows: “A physical therapist may not claim that the manipulation services they provide in any manner represents a chiropractic adjustment employed to achieve the result of correcting a chiropractic spinal subluxation.” Adding language to the definition of “diagnosis” that reads, “This does not include the making of a chiropractic or medical diagnosis.” “A chiropractor licensed under ch. 446 may not claim to render physical therapy unless provided by a physical therapist employed by a chiropractor licensed under ch. 446.” Motion carried unanimously.

**MOTION:** Shirley Mook moved, seconded by Barbara Flaherty, to oppose the proposed amendment to AB 615 as written that “a chiropractor licensed under ch. 446 may claim to render modality based physical therapy services.” Motion carried unanimously.

## **REVIEW OF PROPOSED CHIROPRACTIC RULES RELATING TO PARAPHYSIOLOGICAL SPACE AND THE PRACTICE OF CHIROPRACTIC**

The Board reviewed the proposed rules. The hearing scheduled for March has been canceled and has not yet been rescheduled.

## **REVIEW OF MEDICAL BOARD STATUTES RELATING TO TAKING A LICENSURE EXAMINATION ONLY THREE TIMES**

**MOTION:** Barbara Flaherty moved, seconded by Laurie Kontney, to have legal counsel draft a rule relating to taking a licensure examination only three times with language similar to the Medical Board statutes. Motion carried unanimously.

## RECESS TO CLOSED SESSION

**MOTION:** Barbara Flaherty moved, seconded by Shirley Mook, to recess to closed session pursuant to Chapter 19.85(1)(a), (b), (f) and (g), Wis. Stats., for the purpose of conducting oral examinations of four candidates for licensure, reviewing case status report, discussion of examination issues and consulting with legal counsel. Roll call vote: Otto Cordero – yes, Barbara Flaherty – yes, Laurie Kontney – yes, Shirley Mook – yes. Motion carried unanimously.

Open session recessed at 9:42 a.m.

## RECONVENE IN OPEN SESSION

**MOTION:** Barbara Flaherty moved, seconded by Shirley Mook, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 2:59 a.m.

## VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

### ORAL EXAMINATIONS

**MOTION:** Barbara Flaherty moved, seconded by Laurie Kontney, to grant a license to **Grace Serrano**. Motion carried unanimously.

**MOTION:** Barbara Flaherty moved, seconded by Laurie Kontney, to grant a license to **Janet Lundberg**. Motion carried unanimously.

**MOTION:** Barbara Flaherty moved, seconded by Laurie Kontney, to grant a license to **Brian Ong**. Motion carried unanimously.

**MOTION:** Laurie Kontney moved, seconded by Shirley Mook, to deny a license **Julieta Santander** since she failed her oral examination. Motion carried unanimously.

### CASE STATUS REPORT

**MOTION:** Barbara Flaherty moved, seconded by Laurie Kontney, to close complaint **01 PHT 004** for insufficient evidence. Case advisor was Barbara Flaherty. Motion carried unanimously.

**MOTION:** Shirley Mook moved, seconded by Barbara Flaherty, to close complaint **01 PHT 012** for no violation. Case advisor was Shirley Mook. Motion carried unanimously.

**MOTION:** Barbara Flaherty moved, seconded by Laurie Kontney, to close complaint **01 PHT 013** for prosecutorial discretion (P1). Case advisor was Barbara Flaherty. Motion carried unanimously.

#### **OTHER BOARD BUSINESS**

The Board consulted with Myra Shelton, DRL Legislative Liaison, regarding the hearing scheduled tomorrow before the Senate Health Committee on SB 615.

**MOTION:** Barbara Flaherty moved, seconded by Shirley Mook, to authorize Laurie Kontney to speak and represent the Board at the hearing scheduled tomorrow, March 6, 2002, before the Senate Health Committee on SB 615. Motion carried unanimously.

#### **ADJOURNMENT**

**MOTION:** Laurie Kontney moved, seconded by Shirley Mook, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:52 p.m.

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